

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today  
(1) was not written for publication in a law journal and  
(2) is not binding precedent of the Board.

Paper No. 69

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte PAUL W. OSBORNE  
and EDWIN HOFFMAN

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Appeal No. 96-2023  
Application 08/139,642<sup>1</sup>

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ON BRIEF

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Before HAIRSTON, KRASS, and JERRY SMITH, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

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<sup>1</sup> Application for patent filed October 12, 1993.  
According to appellants, this application is a continuation of  
Application 07/561,816, filed July 1, 1985, now abandoned;  
which is a continuation-in-part of Application 06/404,303,  
filed August 2, 1982, now abandoned.

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This is a decision on appeal from the final rejection of claims 8 through 21. Claims 1 through 7 have been cancelled.

The invention pertains to alarm and status-reporting systems wherein a central monitoring receiver receives alarms or status reports from a plurality of remote transmitters. More particularly, when a transmitter calls a receiver and that receiver picks up, the receiver emits, on a single line, a sequence of handshake signals of different formats in order to activate the transmitter. The sequence of handshake signals continues until the transmitter responds to one of these signals which corresponds to its own transmission format. The receiver senses which of its transmitted handshake signals evoked the transmitter's response and receives data from the transmitter in the transmitter's format. The data is then decoded and a kiss-off signal is sent from the receiver to confirm that the data has been received.

Representative independent claim 8 is reproduced as follows:

8. A digital alarm receiver connected to a telephone, comprising:

(a) a single input line;

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(b) operating means connected to said single input line to produce a sequence of a plurality of different handshake signals having respectively different data formats on the single input line to activate a transmitter capable of transmitting a data format until an answer is received in a data format corresponding to one of the sequence of a plurality of handshake signals, and

(c) said operating means to produce a kiss-off signal corresponding to the received data format to signal the transmitter that data has been correctly received in said detector.

The examiner relies on the following references:

Sedam et al. (Sedam)	4,412,292	Oct. 25, 1983
Aoki	4,486,750	Dec. 4, 1984
Davis et al. (Davis)	4,518,961	May 21, 1985

Additionally, the examiner relies on admitted prior art [APA] set forth on pages 2-5 of the instant specification.

Claims 8 through 21 stand rejected under 35 U.S.C. § 103 as unpatentable over APA in view of Aoki, Davis and Sedam.<sup>2</sup>

Reference is made to the briefs and answers for the respective positions of appellants and the examiner.

#### OPINION

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<sup>2</sup> A previous rejection under 35 U.S.C. § 112, second paragraph, has been withdrawn by the examiner and is no longer before us. We would note, however, that there does not appear to be any proper antecedent basis for "said detector" at the end of claims 8 and 9. We leave any amendments to be made to these claims to the good auspices of appellants and the examiner.

In combining Davis with APA, the examiner states [principal answer-page 5] "that an adaptive decoder could have been used in the prior art disclosed by applicants on pages 2-5 of the present application to enable a single channel or line to be used to transmit signals with different formats" [emphasis in the original]. With this much of the examiner's analysis, we agree. Since the prior art recognized that one could manage different formats by segregating transmitters of different formats onto separate communication lines and Davis taught the desirability of using a single detector to process one of a plurality of transmitted signals, clearly, it would have been obvious to enable a single channel to be used to transmit signals with different formats.

The problem with the examiner's analysis is that the instant claims require more than the mere use of a single channel for transmitting signals with different formats. Each of the independent claims requires, in some form, the production of a "sequence of a plurality of different handshake signals having respectively different data formats on a single input line" and that sequence of handshake signals is sent until an answer is received in a data format

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corresponding to one of the sequence of the plurality of handshake signals.

Davis appears to disclose an adaptive signal decoder which merely chooses one of a plurality of transmitted signals. However, there is no disclosure therein of two-way communication wherein a sequence of handshake signals is output until the transmitter is activated by one of the signals and an answer is received in a data format corresponding to one of the sequence of handshake signals. Davis does not even discuss handshake signals at all. For this, the examiner relies on Aoki for a showing that handshaking signals were well known in the art and this much, of course, is not denied by appellants. However, the mere fact that handshaking signals, per se, were known does not in any way lead to a conclusion of obviousness in regard to applying a sequence of a plurality of handshaking signals in the manner claimed.

Sedam is apparently employed by the examiner only for a teaching of storing log information and, therefore, it seems irrelevant with regard to the independent claims. It is unclear why the examiner included this reference in the

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statement of rejection of the independent claims. In any event, Sedam does not provide for the deficiencies noted supra with regard to independent claims 8, 9 and 14.

Since Davis provides no reason to the skilled artisan for modifying APA in any manner which would result in the claimed subject matter and neither Aoki nor Sedam adds anything which would suggest such a modification, we find the examiner's rejection of claims 8 through 21 under 35 U.S.C. § 103, based on a combination of these references, to be improper.

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The examiner's decision rejecting claims 8 through 21  
under 35 U.S.C. § 103 is reversed.

REVERSED

	Kenneth W. Hairston	)	
	Administrative Patent Judge	)	
		)	
		)	
		)	
	Errol A. Krass	)	BOARD OF
PATENT	Administrative Patent Judge	)	APPEALS AND
		)	INTERFERENCES
		)	
		)	
	Jerry Smith	)	
	Administrative Patent Judge	)	

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